

OCT 09 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CONNOR, CLERK
BY: 
DEPUTY CLERK


UNITED STATES OF AMERICA,)	Criminal Case No. 7:05cr00040-1
)	
v.)	By: Samuel G. Wilson
)	United States District Judge
ERNEST FREDERICK HODGES.)	
)	<u>2255 FINAL ORDER</u>

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Hodges' § 2255 motion is **DENIED** and this action is **STRICKEN** from the active docket of the court.

Hodges is advised that he may appeal the denial of his motion pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

ENTER: This 9th day of October, 2008.



United States District Judge